



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

FDD 6888

SB-C

7/18/13

JUL 18 2013

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

Certified Mail Number 7012 1010 0003 2872 6345

Return Receipt Requested

J. Wayne Maxie, R.G.  
Manager, Environmental Projects  
Agrium US, Inc.  
4582 S Ulster Street Suite 1700  
Denver, CO 80237-2641

Re: Comments to Quality Assurance Project Plan, Revision 3  
Administrative Order on Consent for Nu-West Industries, Inc.  
Idaho Facility, Docket No. RCRA-10-2009-0186

FILE COPY

Dear Mr. Maxie:

This letter provides EPA review and comments to the Quality Assurance Project Plan, Revision 3, submitted to the EPA on July 3, 2013. The document is disapproved. In accordance with paragraph 68 of the Administrative Order on Consent (AOC), a list of comments are enclosed with this letter identifying deficiencies with the submission. In accordance with paragraph 69 of the AOC, Nu-West Industries is required to submit a revised submission within 30 days that addressed EPA comments.

Thank you for your attention to this important matter.

Sincerely,

Peter Magolske  
Air and RCRA Compliance Unit

cc: Brian Monson, Idaho Department of Environmental Quality  
P. Scott Burton, Esq. Hunton and Williams LLP  
Timothy J. Carlstedt, Esq. Hunton and Williams LLP

## **EPA comments to Quality Assurance Project Plan, Revision 3**

### **Comment 1**

Page 8, Section 1.5.2.1 includes the following statement:

General precision acceptance criteria for duplicate samples and MS/MSDs are presented in the Laboratory Quality Assurance Manuals provided in Appendices A, B, C and D.

These criteria were not found in the appendices. Revise the document to include the precision acceptance criteria.

### **Comment 2**

Page 9, Section 1.5.2.2 includes the following statement:

The results of spiked samples will be expressed as percent recovery and will provide information on positive and negative bias. Measurement criteria are presented in Appendix A.

These criteria were not found in the appendices. Revise the document to include the measurement criteria.

### **Comment 3**

Page 10, Section 1.5.2.6, second paragraph states the following:

Many of the EPA's default preliminary remediation goals for radioactive analytes in solids are lower than the method detection limit. Because background concentrations of radionuclides in Idaho soil may be above many of the preliminary remediation goals, a detection limit of 2 picocuries per gram for Radium-226 in soil or sediment will preliminarily be used.

The method detection limit for a given radionuclide will be what that specific test method is capable of achieving. In the event that background concentration levels exceed the preliminary remediation goals or risk based level criteria, the background concentration levels would be the default screening level. A work plan is the appropriate document to specify screening levels.

Analysis of soil sampling carried out by Nu-West in 2012 showed background concentrations of radium-226 and radium-228 to be 1.958 pCi/g and 1.756 pCi/g respectively. See EPA correspondences dated April 6, 2012 and April 19, 2012.

Revise the above paragraph in Section 1.5.2.6 of the QAPP to clarify the method detection limits for radium-226 and radium-228.

### **Comment 4**

Page 10, Section 1.6, the following text was deleted from the QAPP:

drilling – to be performed by personnel licensed by the Idaho Department of Water Resources; the drilling company identified in Section 1.2 is appropriately licensed

Drillers and the companies must be licensed and have their license card before commencing operations in the State of Idaho.

[http://www.idwr.idaho.gov/WaterManagement/WellInformation/DrillerLicensing/PDFs/Form\\_238\\_9A\\_Application\\_for\\_Driller\\_License.pdf](http://www.idwr.idaho.gov/WaterManagement/WellInformation/DrillerLicensing/PDFs/Form_238_9A_Application_for_Driller_License.pdf)

[http://www.idwr.idaho.gov/watermanagement/wellinformation/DrillerLicensing/PDFs/Form\\_238\\_1A\\_Company\\_License\\_Application.pdf](http://www.idwr.idaho.gov/watermanagement/wellinformation/DrillerLicensing/PDFs/Form_238_1A_Company_License_Application.pdf)

Revise the QAPP to include the requirement that the drillers and companies be licensed by the Idaho Department of Water Resources.

**Comment 5**

Appendices C & D did not include any laboratory accreditations for either IAS-EnviroChem or the Agrium CPO Quality Control Laboratory. If either laboratory has accreditations, they need to be included in the Appendices.

**Comment 6**

Appendix D is incorrectly formatted on the PDF version of the QAPP document. Appendix D starts on PDF page 419, but is disrupted by the start of Appendix E on PDF page 449. Appendix D then continues on PDF page 553.

Correct the page sequencing within the PDF version of the document.

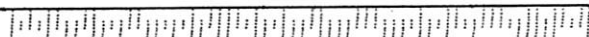
UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

Attn: Peter Magolske OCE-127  
US Environmental Protection Agency  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101



7012 1010 0003 2872 6345

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J. Wayne Maxie, P.G.  
Manager, Environmental Projects  
Agrium US, Inc.  
4582 S. Ulster Street, Suite 1700  
Denver, CO 80237

2. Article Number

(Transfer from service label)

7012 1010 0003 2872 6345

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Lisa Helmer

☐ Agent☐ Addressee

B. Received by (Printed Name)

Lisa Helmer

C. Date of Delivery

7/22/13

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047